

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

CATEGORICAL EXCLUSION REVIEW

A. Background

Project Name: Eugene District Native Seed/Collection and/or Augmentation, January 2011 – January 2012

Date: January, 2011

Categorical Exclusion Number: DOI-BLM-ORE000-2011-0008-CX

Location: The project area is throughout the Eugene District Bureau of the Land Management (BLM).

Description of Proposed Action:

The Eugene District BLM proposes to implement seed collection and/or seed augmentation (planting) projects throughout the Eugene District. The primary objective is to collect sufficient quantities of seed for projects including, but not limited to:

- Soil erosion control and stabilization projects
- Restoration projects within a variety of habitats and special areas
- Competitive exclusion to prevent invasive species occurrence and spread
- Common Garden and other genetic studies
- Seed increase projects
- Participation in the Seeds of Success Program

Native seed is collected from wild populations and can either be put directly back out on the ground in support of the above projects or the seed can be sent to a grower for “seed increase”.

Project Design Features:

Collection:

Native seed will be hand collected. Seed collected will be clearly labeled with the species name, location, date, and collector. Seed collected will be put into either cloth or paper bags for future storage and/or cleaning. Collections may be completed one to several times during the year. No power equipment will be used for collection. Collections may be done by BLM personnel, partners, youth crews, purchase orders or contracts.

This CX does not cover seed collection for Threatened, Endangered (T&E), Candidate Plant Species or Bureau Sensitive plant species.

Augmentation (Deploying seed for the purpose of establishing new plants):

Genetically appropriate native seed augmentation (as determined by a qualified specialist) will occur for any of the above listed projects. Most often seed will be spread manually or with hand applicators. It is possible for some seed augmentation to be done using a “seed drill”. Drilling will not occur within

habitats occupied by Threatened or Endangered plant species or Fender's Blue Butterfly habitat. If occurring within spotted owl or marbled murrelet critical habitat, it would be subject to seasonal stipulations (See Design Features). Augmentation of seed may take place along streams occupied by listed fish species. Seed augmentation generally occurs in the fall to early spring.

This CX does not cover seed augmentation in sites occupied by Threatened or Endangered plants species or Fender's Blue Butterfly habitat. It does cover seed augmentation in sites occupied by Bureau Sensitive plant species.

B. Plan Conformance Review:

The proposed action is in conformance with the Eugene District Resource Management Plan (RMP, 1995).

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, A. *Fish and Wildlife, (5) – Routine augmentation...., providing no new species are introduced* and 516 DM 11.9C (5), which allows for the disposal of small amounts of miscellaneous vegetation products, including seed .

This categorical exclusion is appropriate to this situation because the proposed action will be collecting and introducing genetically appropriate native plant species. The proposed action is reviewed below, and none of the extraordinary circumstances described in 516 DM 2 apply.

D. Signatures:

Prepared By: /s/ Nancy T. Sawtelle Date: 1/31/2011
District Botanist

Reviewed By: /s/ Richard Hardt Date: 2/8/2011
Environmental Coordinator

Approved By: /s/ Virginia Grilley Date: 2/11/2011
District Manager, Eugene District BLM

Contact Person:

For additional information concerning this Categorical Exclusion, contact: Nancy Sawtelle, District Botanist (541) 683-6111.

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**CATEGORICAL EXCLUSION REVIEW
Extraordinary Circumstances Checklist**

Proposed Action: Categorical Exclusion DOI-BLM-ORE000-2011-0008-CX; Eugene District Native Seed Collection and/or Augmentation

Review the proposed action against each of the 12 “extraordinary circumstances” listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate “Not Applicable.” Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances	YES	NO
1. Have significant impacts on public health or safety. <u>Rationale:</u> All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <u>Rationale:</u> All proposed activities are designed to improve conditions for sensitive areas or to prevent further degradation of sensitive resources. This action would comply with relevant protection measures under the Bald Eagle Protection Act and the Migratory Bird Treaty Act, and associated federal regulations and BLM policies, and would not measurably affect any of the species regulated by those acts.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> There are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or unknown risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> There is no evidence that this action will establish a precedent or decision for future actions with potentially significant environmental effects.		X

Extraordinary Circumstances	YES	NO
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p> <p><u>Rationale:</u> Native seed collection and/or augmentation has been conducted in the past and this activity had no significant direct, indirect, or cumulative effect. These actions are used to improve the integrity of plant populations and/or plant communities on the Eugene District.</p>		X
<p>7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.</p> <p><u>Rationale:</u> No properties are listed, or eligible for listing, on the National Register of Historic Places are located within the area of the proposed action.</p>		X
<p>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</p> <p><u>Rationale:</u> Some seed collection and/or augmentation may occur within critical habitat for the northern spotted owl or marbled murrelet and there would be no adverse effects to the species or their critical habitat from this action (See Design Features).</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p> <p><u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Eugene District ROD/RMP, which complies with all applicable Federal, State, local and tribal laws.</p>		X
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</p> <p><u>Rationale:</u> The collection and/or augmentation of seed would not affect low income or minority populations.</p>		X
<p>11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).</p> <p><u>Rationale:</u> In any areas where seed drilling would take place, cultural resource reviews would be conducted prior to implementing the proposed action. If cultural resources are found within a unit through pre-disturbance inventories or during activities, appropriate measures would be applied.</p>		X
<p>12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).</p> <p><u>Rationale:</u> The action will prevent establishment and spread of invasive plant species via competitive planting.</p>		X

1791
CX-11-08
Native Seed
Collection/Augmentation

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DECISION RECORD

Decision:

It is my decision to implement this action on BLM lands as described in the categorical exclusion documentation DOI-BLM-ORE000-2011-0008-CX.

Land Use Plan Conformance:

The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended).

Survey and Manage:

Survey and Manage does not apply since these activities do not constitute habitat disturbing activities (Survey and Manage ROD 2001, Standards and Guidelines p.22).

Decision Rationale:

The proposed action has been reviewed by Resource Area Staff and appropriate project Design Features as specified, will be incorporated into the proposal. Based on the NEPA Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies

Notice of the decision to be made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Authorizing Official:

/s/ Virginia Grilley

Virginia Grilley
District Manager
Eugene District Office

2/11/2011

Date:

Project Design Features:

Northern Spotted Owl, Marbled Murrelet

SIUSLAW RA: No work requiring chainsaws or motorized equipment would be done within 100 yards of 80+ old forest between 3/1 and 8/5. There will also be daily timing restrictions between 4/1 and 9/15 (no work until 2 hours after sunrise and work stops 2 hours before sunset) – only within 100 yards of stands of 80+ years. The Area Biologist may waive certain restrictions based on specific stand conditions.

UPPER WILLAMETTE RA: No work requiring chainsaws or motorized equipment would be done with 65 yards of 80+ year old forest between the dates of 3/1 and 7/15 except within campgrounds and within the road prism of well-traveled roads. Campgrounds and the road prism of well-traveled roads have no seasonal restrictions for spotted owls. Seasonal restrictions may be waived by a wildlife biologist if the biologist determines the action would not adversely affect spotted owls.

Other Special Status Wildlife

In areas other than campgrounds or roads, area wildlife biologists will review projects where ground-disturbing activities are planned or where power equipment will be used to ensure compliance with the Bald Eagle Protection Act and BLM Special Status Species and/or Migratory Bird policies. Habitat modification at known sites will be designed to avoid or mitigate adverse impacts. Additionally, project activities using power equipment in locations with the potential for noise disruption (other than campgrounds and roads as indicated above) will be seasonally restricted during an appropriate portion of the breeding season (January 1 to September 30).

Special Status Plant Species

Botanists will review project areas to avoid any inadvertent damage to known Special Status plants. Apply treatments within and around Bureau Sensitive plant populations generally after plant populations have senesced for the season and before plant growth starts (September – February). In any season, plants will be well-marked on the ground (flagging, flag-pins) so that they would not be damaged by crews and/or equipment, and a qualified specialist would be present to monitor implementation of the project.

Equipment Washing

Equipment shall also be washed prior to moving between project sites. The cutter heads, track or wheel systems, undercarriage, and other external components shall be thoroughly flushed. Washing shall occur at designated washing sites approved by the Government. All petroleum product residues shall be contained at wash sites and dealt with in accordance with DEQ standards.

Cultural Resources

Cultural reviews will be completed for ground-disturbing activities associated with native seed augmentation where it is associated with seed drilling or other ground disturbing techniques. Project leads must provide a map of the location for the archeological review:

- In the Siuslaw RA where seeding on sites that are 10% slope or less, in meadows or river terraces.
- In the Upper Willamette RA where seeding on sites that are 20% slope or less and in meadows and river terraces

If during any seeding efforts, archaeological materials are found, the ground-disturbing work needs to stop and will be reported to the District Archeologist.

Any ground-disturbing seeding treatments within the prism (from the top of the cut to the toe of the fill) of an existing road are exempt from cultural reviews.